

RECEIVED
USDC CLERK, FLORENCE, SC
2017 NOV 13 AM 10:48

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Sepia Vonnitto Blockstock

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Marc Weinbaum

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Sepia Vonnetta Blackstock</u>
Street Address	<u>P. O. Box 2917</u>
City and County	<u>Hartsville, Darlington County</u>
State and Zip Code	<u>South Carolina, 29551</u>
Telephone Number	<u>843-307-1809</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Marc Weinbaum</u>
Job or Title (if known)	<u>Psychiatrist</u>
Street Address	<u>604 S Court Street</u>
City and County	<u>Florence, Florence County</u>
State and Zip Code	<u>South Carolina, 29501</u>
Telephone Number	<u>843-629-0034</u>

Defendant No. 2

Name	_____
Job or Title (if known)	_____
Street Address	_____
City and County	_____
State and Zip Code	_____
Telephone Number	_____

Defendant No. 3

Name	_____
------	-------

Job or Title _____
 (if known) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

Defendant No. 4

Name _____
 Job or Title _____
 (if known) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title 15, Chapter 3 545 (medical malpractice/
medical negligence)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

\$30,000

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Dr Weinbaum Diagnosed me with schizophrenia
and delusional Disorder. After receiving a second
opinion from my current psychiatrist, she
diagnosed me as having major depressive disorder
instead of schizophrenia and delusional disorder
(see attached sheets)

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Lost Income and wages from not being
able to work due to not receiving proper
treatment for my condition. Pain and suffering
from being forced to live with an abusive
family as a result of lost income and wages. Mental
Anguish

November 7, 2017 Septo Blackstock page 1
vs
marc weinbaum)

III Statement of Claim (continued)

These two misdiagnosis of schizophrenia and delusional disorder harmed me by causing me to research and try to be cured for diseases that I never had. While trying to be cured of the two misdiagnosis, my true diagnosis, major depressive disorder, went untreated and therefore prolonging my recovery process. This affected my future health by delaying my ability to recover and become a regular healthy person. My health has greatly improved while under the care of my new psychiatrist. My health continued to decline steadily while under the care of Psychiatrist Marc Weinbaum. Not being able to work from being mis diagnosed caused me to suffer lost income and wages, Pain & suffering due to lost income and wages that prevented me from being able to afford to live on my own and forced me to continue to have to live with my abusive family

November 7, 2017

(Sepia Blackstock vs Marc Weinbaum)

Page 2

which my new psychiatrist says cause situational depression which has an overall damaging effect on my health.

Marc Weinbaum had a duty of care being that he was my doctor and I was his patient, he breached this duty of care by misdiagnosing me with schizophrenia and delusional disorder that I don't have, prescribing strong medications for me to take that did not help my real diagnosis of major depressive disorder, but instead made it worse, and he breached his duty of care by failing to diagnose and treat my major depressive disorder. He neglected my major depressive disorder during the entire time that I was under his care which caused me unnecessary pain and suffering, mental anguish. The harm that I endured from being under Marc Weinbaum's care has also affected my trust in doctors and has increased my anxiety.

Sepia Blackstock

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: November 7, 2017

Signature of Plaintiff

Printed Name of Plaintiff

Sepia Vonnatta Blackstock
Sepia Vonnatta Blackstock

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address